

618-228-2007

#6282949 WTOres

2016N-0123

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
JEFFERSON COUNTY, ILLINOIS

PAIGE HOPKINS and CHRISTOPHER
HOPKINS, Special Co-Administrators of the
Estate of DONALD C. HOPKINS, deceased,

Plaintiffs,

v.

THOMAS C. GARGRAVE; and
ASHBURY LOGISTICS LLC,

Defendants.

No. 16 L 51

PLAINTIFFS DEMAND TRIAL BY JURY

FILED
SECOND JUDICIAL COURT

AUG 08 2016

Paul Allen
CLERK OF CIRCUIT COURT
JEFFERSON COUNTY ILLINOIS

COMPLAINT AT LAW

Plaintiffs, PAIGE HOPKINS and CHRISTOPHER HOPKINS, Special Co-Administrators of the Estate of DONALD C. HOPKINS, deceased, by and through their attorneys, CORBOY & DEMETRIO, P.C., complaining of Defendants, THOMAS C. GARGRAVE and ASHBURY LOGISTICS LLC, state:

1. On June 26, 2016, at approximately 7:58 p.m., Veterans Memorial Drive was a public roadway running generally in the east and west directions at or near its intersection with I-57 in the town of Mt. Vernon, County of Jefferson, State of Illinois.
2. At that time and place, DONALD C. HOPKINS was operating his 2002 Harley Davidson motorcycle westbound on Veterans Memorial Drive.
3. At that time and place, THOMAS C. GARGRAVE was operating a tractor-trailer, owned by ASHBURY LOGISTICS LLC, northbound on I-57 and exited the interstate highway utilizing the northbound exit ramp at Veterans Memorial Drive.
4. At that time and place, THOMAS C. GARGRAVE was a duly authorized

employee of ASHBURY LOGISTICS LLC and was operating within the course and scope of his employment.

5. At that time and place, THOMAS C. GARGRAVE drove his tractor-trailer northbound across Veterans Memorial Drive in an attempt to re-enter I-57 northbound.

6. At that time and place, DONALD C. HOPKINS' westbound motorcycle collided with THOMAS C. GARGRAVE's tractor-trailer.

7. At that time and place, THOMAS C. GARGRAVE and ASHBURY LOGISTICS LLC, by and through its agent and employee, THOMAS C. GARGRAVE, and each of them, were negligent in one or more of the following ways:

- a. Operated a motor vehicle without keeping a proper and sufficient lookout; and
- b. Failed to yield the right-of-way to plaintiff's vehicle, in violation of 625 ILCS 5/11-901.

8. As a direct and proximate result of one or both of the above, DONALD C. HOPKINS suffered injuries which resulted in his death on June 26, 2016.

9. DONALD C. HOPKINS is survived by his adult daughter, PAIGE HOPKINS, and his adult son, CHRISTOPHER HOPKINS, each of whom have suffered the loss of his companionship, love, affection, care, comfort, guidance, attention, and protection and suffered tremendous grief and sorrow as a result of his death.

10. Plaintiffs, PAIGE HOPKINS and CHRISTOPHER HOPKINS, have been appointed Special Co-Administrators of the Estate of DONALD C. HOPKINS, Deceased, and they bring this cause of action pursuant to 740 ILCS 180/1 et seq., commonly known as the Illinois Wrongful Death Act.

WHEREFORE, Plaintiffs, PAIGE HOPKINS and CHRISTOPHER HOPKINS, Special Co-Administrators of the Estate of DONALD C. HOPKINS, deceased, demand judgment against Defendants, THOMAS C. GARGRAVE and ASHBURY LOGISTICS LLC, and each of them, in an amount in excess of the minimum amount required for jurisdiction in the Law Division of the Second Judicial Circuit Court, Jefferson County, Illinois.



William T. Gibbs

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Corboy & Demetrio, P.C.
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AFFIDAVIT

I, WILLIAM T. GIBBS, state under oath:

1. I am an attorney associated with Corboy & Demetrio, P.C. and am responsible for filing of the Complaint at Law in this matter.
2. The total of money damages sought by plaintiff does exceed \$50,000.00, exclusive of interest and costs.

William T. Gibbs

CORBOY & DEMETRIO, P.C.

By: William T. Gibbs

SUBSCRIBED and SWORN to before me
this 2nd day of August, 2016.

Rachel Shinville
NOTARY PUBLIC



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2016 SEP -9 AM 11:30

FILED